

**U.S. District Court  
Western District of Virginia (Charlottesville)  
CIVIL DOCKET FOR CASE #: 3:19-cv-00011-GEC**

Southern Environmental Law Center v. Bernhardt et al  
Assigned to: Senior Judge Glen E. Conrad  
Cause: 05:552 Freedom of Information Act

Date Filed: 02/21/2019  
Jury Demand: None  
Nature of Suit: 895 Freedom of  
Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**Southern Environmental Law Center**

represented by **Kimberley Claire Hunter**  
Southern Environmental Law Center  
601 West Rosemary Street, Suite 220  
Chapel Hill, NC 27516-2356  
919-967-1450  
Fax: 919-929-9421  
Email: [khunter@selcnc.org](mailto:khunter@selcnc.org)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Kristin Ann Davis**  
Southern Environmental Law Center  
201 West Main Street, Suite 14  
Charlottesville, VA 22902  
434-977-4090  
Fax: 434-977-1483  
Email: [kdavis@selcva.org](mailto:kdavis@selcva.org)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Samuel Edward Evans**  
Southern Environmental Law Center  
48 Patton Avenue, Suite 304  
Asheville, NC 28801  
828-258-2023  
Fax: 828-258-2024  
Email: [sevans@selcnc.org](mailto:sevans@selcnc.org)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**David Bernhardt**  
*in his official capacity as Acting Secretary  
of the Department of the Interior*

represented by **Krista Consiglio Frith**  
United States Attorneys Office – Roanoke  
Western District of Virginia  
310 First Street, SW, Suite 906  
Roanoke, VA 24008  
540-857-2956  
Fax: 540-857-2283  
Email: [Krista.Frith@usdoj.gov](mailto:Krista.Frith@usdoj.gov)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Daniel Smith**  
*in his official capacity as Deputy Director  
Exercising Authority of Director for the  
National Park Service, an agency within*

represented by **Krista Consiglio Frith**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

*the Department of the Interior*

**Defendant**

**Daniel Jorjani**

*in his official capacity as Principal  
Deputy Solicitor Exercising the Authority  
of Solicitor, the head of the Office of the  
Solicitor, an agency within the  
Department of Interior*

represented by **Krista Consiglio Frith**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
02/21/2019	<u>1</u>	COMPLAINT against All Defendants (Filing & Administrative fee \$ 400; Receipt 0423-3079984.), filed by Southern Environmental Law Center. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Exhibit 1 – SELC ACP FOIA Request of December 14, 2017, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3 – Awareness Process Memo from Cindy Cafaro from May 24, 2018, # <u>5</u> Exhibit 4, # <u>6</u> Exhibit 5, # <u>7</u> Exhibit 6)(jcj)
02/21/2019	<u>2</u>	Negative Corporate Disclosure Statement by Southern Environmental Law Center (jcj)
02/21/2019	<u>3</u>	Electronic Summons Issued as to David Bernhardt, U.S. Attorney and U.S. Attorney General. <b>NOTICE TO COUNSEL:</b> Please print copies of the electronically issued summons for each defendant as necessary to effectuate service under Fed. R. Civ. P. 4. (Attachments: # <u>1</u> Attorney General Summons, # <u>2</u> AUSA summons)(jcj)
02/21/2019	<u>4</u>	Electronic Summons Issued as to Daniel Smith <b>NOTICE TO COUNSEL:</b> Please print copies of the electronically issued summons for each defendant as necessary to effectuate service under Fed. R. Civ. P. 4.(jcj)
02/21/2019	<u>5</u>	Electronic Summons Issued as to Daniel Jorjani <b>NOTICE TO COUNSEL:</b> Please print copies of the electronically issued summons for each defendant as necessary to effectuate service under Fed. R. Civ. P. 4.(jcj)
02/25/2019	<u>6</u>	MOTION for <i>Kimberley Hunter</i> to Appear Pro Hac Vice. Filing fee \$ 100, receipt number 0423-3082946. by Southern Environmental Law Center. (Attachments: # <u>1</u> Text of Proposed Order)(Davis, Kristin)
02/25/2019	<u>7</u>	MOTION for <i>Sam Evans</i> to Appear Pro Hac Vice. Filing fee \$ 100, receipt number 0423-3082959. by Southern Environmental Law Center. (Attachments: # <u>1</u> Text of Proposed Order)(Davis, Kristin)
02/25/2019	<u>8</u>	ORDER granting <u>6</u> MOTION to Appear Pro Hac Vice Attorney Kimberley Claire Hunter for Southern Environmental Law Center added. Signed by Senior Judge Glen E. Conrad on 2/25/19. (hnw)
02/25/2019	<u>9</u>	ORDER granting <u>7</u> MOTION to Appear Pro Hac Vice Attorney Samuel Edward Evans for Southern Environmental Law Center added. Signed by Senior Judge Glen E. Conrad on 2/25/19. (hnw)
03/27/2019	<u>10</u>	ANSWER to Complaint <u>1</u> by David Bernhardt, Daniel Jorjani, Daniel Smith.(Frith, Krista)
03/28/2019	<u>11</u>	Magistrate Consent Notice to Parties. (jcj)
06/06/2019	<u>12</u>	Rule 26(f) Agreed Written Plan by Defendants David Bernhardt, Daniel Jorjani, Daniel Smith (Frith, Krista)
06/10/2019	<u>13</u>	CROSS MOTIONS BRIEFING ORDER. Signed by Senior Judge Glen E. Conrad on 6/10/2019. (ssm)
08/28/2019	<u>14</u>	MOTION to Dismiss for Lack of Jurisdiction <i>Count 2</i> by David Bernhardt, Daniel Jorjani, Daniel Smith. (Frith, Krista)
08/28/2019	<u>15</u>	Brief / Memorandum in Support re <u>14</u> MOTION to Dismiss for Lack of Jurisdiction <i>Count 2</i> . filed by David Bernhardt, Daniel Jorjani, Daniel Smith. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Frith, Krista)

09/11/2019	<u>16</u>	RESPONSE in Opposition re <u>14</u> MOTION to Dismiss for Lack of Jurisdiction <i>Count 2</i> . filed by Southern Environmental Law Center. (Attachments: # <u>1</u> Exhibit 1, Email correspondence, # <u>2</u> Exhibit 2, Feb 2019 memo, # <u>3</u> Exhibit 3, Additional public records, # <u>4</u> Exhibit 4, Outstanding FOIA requests)(Hunter, Kimberley)
09/18/2019	<u>17</u>	REPLY to Response to Motion re <u>14</u> MOTION to Dismiss for Lack of Jurisdiction <i>Count 2</i> . filed by David Bernhardt, Daniel Jorjani, Daniel Smith. (Frith, Krista)
09/27/2019	<u>18</u>	NOTICE of Hearing on Motion <u>14</u> MOTION to Dismiss for Lack of Jurisdiction <i>Count 2</i> and forthcoming Motion to Compel in conjunction w/ similar motions in 3:19-cv-17 : <b>(CR)</b> ( <b>No Interpreter requested</b> ) Motion Hearing set for 11/4/2019 10:00 AM in Roanoke before Senior Judge Glen E. Conrad. (ssm)
10/03/2019	<u>19</u>	Joint MOTION to Reset Deadlines by Southern Environmental Law Center. (Attachments: # <u>1</u> Text of Proposed Order)(Hunter, Kimberley)
10/07/2019	<u>20</u>	ORDER granting <u>19</u> Joint Motion for a reset of deadlines. Signed by Senior Judge Glen E. Conrad on 10/4/19. (hnw)